

## GOVERNORS ARRIVE FOR CONFERENCE

Good Attendance Indicated for Opening Session To-Day.

## TAKE BREAKFAST WITH GOV. MANN

Visitors From Rome in Behalf of Rural Credits—San Francisco Exposition Represented—Each Governor Has Local Committee for His Entertainment—Reception Tonight.

Nine Governors, two former Governors, the man who originated the Governors' Conference, the acting secretary, together with people who will present issues to the meeting of this week, had arrived in the city last night. Early morning trains bring others, so that there will be a good attendance at the opening session this morning. Acting Secretary Miles C. Riley said last night that the largest attendance in the history of the conference was already assured.

The early arrivals were as follows: Governor Francis E. McGovern, of Wisconsin, chairman of the executive committee; Governor and Mrs. Frederick W. Plafsted, of Maine; Governor Edwin L. Norris, of Montana; Governor W. W. Kitchen and F. B. Arndell, of North Carolina; Governor Albert W. Gilchrist, of Florida; Governor Tasker L. Oddie, of Nevada; Governor Simon E. Baldwin, of Connecticut; Governor and Mrs. John A. Dix and niece, Miss Douglas, of New York; Governor Emmet O'Neal, of Alabama; former Governor and Mrs. John Franklin Fort, of Mississippi; Governor Ernestine Noss, of Chattanooga, Tenn. Welcomed by Governor Mann.

Governor William Hodges Mann, who was in Norfolk yesterday welcoming the National Guard Association, returned to the city last evening, and with Mrs. Mann went to the Jefferson Hotel last night, where he greeted the incoming Governors. "Hello, Governor," was the general salutation in the lobby, as one after another arrived.

Secretary M. C. Riley, chosen to act in this capacity by the executive committee for the interim between meetings, came in this morning and saw all the Governors in quick succession. "He is the man who does the work," said Governor McGovern. Mr. Riley devoted himself to his traveling garments, shook hands with all the visitors, made himself of service to a dozen people at once, and then proceeded to deliver the customary eulogium of the Jefferson Hotel, then he praised the hard work which Governor Mann has done and his successful efforts to make the meeting full of pleasure. Next Mr. Riley showed how and why this particular Conference of Governors will have the largest attendance, will be the most important and the most successful of all.

Finally he opened a batch of telegrams, which show matters that will be presented to the conference, provided a meeting is held.

**Greeting to Friends.**

One of them was from the Panama-Pacific Exposition, containing the information that Dr. T. S. Jones, Louisiana commissioner to the San Francisco show of 1915, and Dr. Frank A. Wolf, associate physician of the Bureau of Standards, Department of Commerce, and Dr. J. H. Hunter, of the University of California, were to be some thing in behalf of the next world's fair.

Another revealed the information that Miss Kate Barnard, of Oklahoma, will visit the conference. She is introduced by Governor George W. Hunt, of Arizona, who says that she is thoroughly familiar with the "Arizona Constitutional Reform" as an explanation. First the conference will try to find out what it is.

Dr. Lillian W. Johnson and Miss Ernestine Noss have come over from Rome, Italy, to attend the Conference of Governors. They have been in the Eternal City studying the methods of the International League of Agriculture, on which David Lubin has made for himself everlasting fame. They especially desire to interest the Governors in the matter of rural credits, as worked out in many European countries, and are well fortified with literature on the subject. Besides, they have been on the ground and know of what they are talking.

**Mission of Individuals.**

Myron T. Herrick, ambassador to France, will be here to act as the personal representative of President Taft in this same matter of rural credits. Dr. Johnson and Miss Noss have been invited to the White House dinner in Washington Saturday, when the Governors will be present.

Mr. and Mrs. Heiler are here because they are interested in the conference. It met last year in their town of Spring Lake, N. J.

Former Governors Fort and Willson were especially invited by Governor Mann. They always took the keenest interest in the conference while active members, and were leaders of thought in that body.

Governor McGovern was the Roosevelt candidate for temporary chairman of the Chicago convention, which renominated Mr. Taft. He survived the Democratic victory and was re-elected.

Mr. Jordan was the author of the famous letter of 1906 to President Roosevelt, which had as its result the formation of the Conference of Governors. Last year he was secretary.

**Breakfast at Mansion.**

At 8:15 o'clock this morning automobiles will call at the Jefferson for the visiting Governors and those with them, and will take them to the executive session.

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## VISITS PARLIAMENT

President-Elect Wilson Listens to Debate on Tariff.

Hamilton, Bermuda, December 2.—Woodrow Wilson heard to-day the first tariff discussion since his election as President of the United States. He visited the Bermuda Parliament, where he was cheered, and sat among the members for three hours listening to the debate on the vegetable schedules and observing the methods of budget explanation. In reply to the welcome extended Mr. Wilson, he said: "I have been interested in the debate, thinking that if we every year went through the items of expenditure and revenue for twelve months there would be a continuous performance which would exceed anything the theatres could ever produce. But the idea is an admirable one, because it affords the House constant opportunity to review the changing circumstances of the colony. I have admired the business-like manner of getting through the estimates."

While walking from the Government House Mr. Wilson said he thought that a yearly revision of the American tariff schedules, such as obtains in Bermuda, would be impracticable. It would be impossible to discuss the estimates and revenue simultaneously, but he wished that the United States would adopt some budget scheme.

The President-elect was a principal in a "first aid" case this morning. He rescued a honeymoon couple who fell from their bicycles in front of his house. The bride was slightly injured, and one of Mr. Wilson's daughters assisted in bathing her wounds.

## NEWSPAPER LAW ARGUED

Supreme Court Hears It Attacked as Abridging Freedom of Press.

Washington, December 2.—Oral argument of the constitutionality of the newspaper publicity law was begun to-day before the Supreme Court of the United States. The law, which was passed by the New York Legislature in 1908, and is now being challenged by the New York Journal of Commerce, attacked the law as abridging the freedom of the press, while Solicitor-General Hallitt defended the act as merely imposing additional conditions upon which newspapers may obtain the second-class mail privileges. The solicitor-general will conclude his argument to-morrow, when James M. Beck, on behalf of the Lewis Publishing Company, of New York, will make the final argument on behalf of the newspapers.

Chief Justice White questioned Mr. Morris at length. Several times suggesting that the question of the law was one to be addressed to Congress and not to the courts. In this connection, he said, he had in mind the oleomargarine case, in which any one "who looked beyond his face" knew that the object was to prohibit the manufacture of a product, while it merely purported to levy a tax. He also suggested an interpretation that would permit the "advertisement" section to stand as a valid act only as to newspapers in the District of Columbia or jurisdictions over which the United States has exclusive jurisdiction.

## OFFICIALLY ANNOUNCED

Right Rev. Dennis J. O'Connell Proclaimed Bishop of Richmond.

Rome, December 2.—The Pope to-day officially announced the appointment of the following American prelates:

Right Rev. Dennis J. O'Connell, bishop of Richmond.

Right Rev. Patrick A. McGovern, bishop of Cheyenne.

Right Rev. Austin Dowling, bishop of Des Moines.

Rev. Edward J. Hanna, auxiliary bishop of San Francisco.

A consistory was held by the Pope to-day, at which the red hat was placed upon the heads of the several prelates who, with Archbishop Farley, of New York, and Archbishop O'Connell, of Boston, were cardinals. They are:

Francis X. Nagel, archbishop of Vienna.

Giuseppe Maria Coscia, archbishop of Valladolid.

Antonio Vico, papal nuncio to Spain.

Francis S. Bauer, archbishop of Olmutz.

Benigno de Almaraz y Santos, archbishop of Seville.

Several hundred Americans witnessed to-day's ceremonies. The Pope looked very well and his voice was quite strong.

## TRIPLE TRAGEDY ENACTED

Mother Leaps With Two Children Into Abandoned Quarry.

Rockland, Maine, December 2.—Mrs. Austin Elwell killed her two children and herself to-day by jumping with them into an abandoned quarry 400 feet deep and nearly filled with water. Domestic troubles are believed to have caused the act. Mrs. Elwell was twenty-three years old, and the children, both boys, were aged five and four years. There were no witnesses to the tragedy.

The woman and the children were seen going into the quarry enclosure. Later their outer garments were found on the edge of the cliff. Mrs. Elwell had separated from her husband a year ago.

## JOBBER BRING SUIT

They Ask Heavy Damages Under Sherman Antitrust Law.

New York, December 2.—The trial of a suit under the Sherman antitrust law for \$100,000 damages brought by E. E. Locker & Co., of Brooklyn, against the Jobbing House Company, which since the action has been legally dissolved, was commenced to-day in the United States District Court. Under the Sherman law, it is held that the suit they will be entitled to treble damages, or \$300,000. The plaintiffs allege that the defendant company conspired to monopolize the jobbing house and refused to sell goods to them.

## TILLMAN SUIT ENDS

Mother Will Retain Children Pending Court's Decision.

Columbia, S. C., December 2.—Hearing of the suit of R. R. Tillman, Jr., son of United States Senator Tillman, for possession of his two children, was concluded in the Supreme Court to-day. Chief Justice Gary announced that the mother, Mrs. Lucy Dugan, who secured a divorce from young Tillman, should retain custody of the two little girls pending the decision of the court, which will be announced later.

## GREEKS ANXIOUS TO CONTINUE WAR

Responsible for Delay in Signing Armistice Protocol.

## TROUBLE AMONG BALKAN ALLIES

Powers Counsel Turkey to Make Peace, and Negotiations Likely to Begin in Few Days—Cordial Relations of England and Germany Clarify General Situation.

London, December 2.—The Imperial German Chancellor's statement of the European situation, together with that of Herr von Kiderlen-Waechter, the German Foreign Secretary, confirming that Great Britain and Germany are co-operating amicably in favor of peace, is regarded in the European capitals as reassuring and as calculated to have an effect when the peace delegates come to discuss terms.

Dr. Von Bethmann-Hollweg's declaration of the solidarity of the triple alliance, which, it is reported, has just been renewed, and his announcement of Germany's determination to pursue a policy upholding Turkey in an economic sense, are likely to influence the delegates of all the countries concerned to discuss peace conditions in the spirit of moderation already shown in the armistice negotiations.

Although there is no change in the actual situation to-night, some misgivings are beginning to be expressed with regard to the attitude of Greece. Various reasons are assigned for Greek reluctance to sign the armistice. According to the Greek minister at Paris, Greece opposes the proposal that the besieged garrisons shall be provisionally during the armistice, and thinks that the allies ought to have insisted upon their surrender.

There is no doubt that jealousy exists between Greece and Bulgaria. Greece asserts that the Greek fleet played an important role in the war, especially in preventing Turkey from moving her troops by sea, and that without her naval assistance the allies could not have achieved such a brilliant success. The race between the Greeks and the Bulgarians for the occupation of Saloniki and the debts which followed this increased the existing animosity between the two peoples, and their interests are being sacrificed in the peace negotiations.

It is expected the armistice protocol will be signed some time to-morrow, but it is possible that this may be still delayed.

## Stands by Dual Monarchy.

Berlin, December 2.—Germany stands firmly with Austria-Hungary in the conflict which has arisen between the country and Serbia, or, for that matter, in any conflict which may be forced on the dual monarchy.

In a brief, pointed speech in the Reichstag to-day, the Imperial Chancellor, Dr. von Bethmann-Hollweg, made a declaration which is taken to mean unquestionably a warning to Russia, although Russia was not named.

All the party leaders, except the Socialists, who followed the Chancellor, expressed approval of the Government's position.

Herr von Kiderlen-Waechter, Secretary of State for Foreign Affairs, also won applause when, in replying to the reference of the Social Democratic leader, Herr Ledebour, to alleged discord with Great Britain, said: "These remarks are a welcome occasion to state that during the whole late crisis our relations with Great Britain have been especially marked by mutual trust, which has not only brought about a most gratifying intimacy in our relations, but has also performed good service towards us."

The effect of the speeches in the Reichstag to-day was heightened this evening when it became known in parliamentary circles that an agreement had been reached for a renewal of the Dreubund.

## Greeks Would Continue War.

Sofia, December 2.—The plenipotentiaries held a meeting at 3 o'clock at Baghiche, but it is considered doubtful whether any definite conclusion regarding the armistice will be reached before Tuesday night or Wednesday. The important points of the armistice already have been settled. The question of the Bulgarians using the Adrianople railway probably will be dropped, as will also the Turkish counter demand for permission to send food to the garrison there. The Adrianople railway is now less indispensable to Bulgaria, because great supplies of wheat have been discovered at Idovachatch with a mill carried off by many tons of flour.

The third clause of the protocol relating to the blockade of ports on the Black Sea and Aegean has not been considered vital, and is probably will not give rise to contention. Any further delay occurs in the completion of the armistice, it is felt here that the blame will rest with the Greeks, who, for some inscrutable reason, wish to continue the war.

Bulgaria, Serbia and Montenegro favor peace. Turkey also is believed to be actuated by the same desire.

According to reliable information received here Great Britain and Russia, as well as Germany, have counseled Turkey to make peace, and it is expected negotiations to this end will begin soon at Sofia.

The Turks proposed to hold the peace conference at Brussels, and the Greeks suggested Constantinople, but the other allies favor the Bulgarian capital.

King Ferdinand, accompanied by the Minister of Finance, has left Sofia for Tcherbalia, and this is regarded as a positive indication that the armistice is at the point of completion.

## SHORT SESSION GETS UNDER WAY

Animated Scenes Presented as Congress Resumes Labors.

## TWO GAVELS WORN OUT BY SPEAKER

Clark, in House, and Bacon, in Senate, Rap for Order—Brief Sessions Held, Adjournment Being Taken Out of Respect for Members Who Have Died.

Washington, December 2.—The Senate and House settled down to work to-day for the high pressure session that is to end the Sixty-second Congress. Speaker Champ Clark succeeded in breaking two valuable gavels before he had brought the enthusiasm of the House through an hour and ten minutes of business. The sessions in both Houses served to complete the preliminary work of organization and left Congress ready for legislative business to-morrow.

The Senate, depressed by the recent death of Vice-President Sherman and Senators Heyburn and Rayner, was in session but twenty-two minutes. Both houses adjourned as soon as the preliminaries of organization were concluded, out of respect for members and officers who had died since the adjournment in August.

President Taft's message will come to both houses to-morrow. The Senate will meet at 11 o'clock, an hour before the customary time, so the messages may be read before proceedings begin in the court of impeachment, which is to try Judge Robert W. Archbald, of the Commerce Court.

Boisterous enthusiasm greeted the return to the House of Speaker Clark, former Speaker Cannon and other members whose names have long been associated with the important affairs of that body.

Speaker Clark, in the House, and Senator Bacon, presiding in the Senate, rapped the respective bodies to order.

It was not 12 o'clock when Senator Bacon, president pro tem, took the chair at the desk of the late Vice-President Sherman and rapped for order in the Senate. Senators surged through the doors at the last moment. Some time was required to get order for the prayer by the chaplain, Rev. U. G. R. Pierce.

Failure of members of the House to reach the floor delayed the opening of the session about one minute after the hour of noon.

## Applause for Speaker.

When Speaker Clark climbed the stairs to the rostrum he was greeted by applause and cheers. The roll call followed.

When the name of former Speaker Cannon was called, the members applauded the veteran leader, whose services at this session will conclude forty years in the halls of Congress.

"Uncle Joe" bowed his acknowledgments.

After the adoption of the customary resolution to appoint members of a joint committee to notify the President that Congress had assembled, Senator Lodge moved that the Senate meet to-morrow at 11 o'clock. It was adopted without debate.

Resolutions were adopted conveying the Senate's sympathy to family of the late Vice-President Sherman.

Senator Borah presented notification of the death of Senator Heyburn, and Senator Smith, of Maryland, that of the death of Senator Rayner.

Four new members were sworn in the House. They were Lewis L. Morgan, of Louisiana, who succeeds the late Representative Wickliffe; Archibald C. Hart, who succeeds Representative Hughes of New Jersey, elected to the Senate; George C. Scott, who succeeds the late Representative Hubbard, of Iowa; and Edwin A. Merritt, who succeeds the late Representative George Malby, from New York.

The House, after a session of one hour and ten minutes, adjourned until noon to-morrow out of respect to the members who had died since the last adjournment.

## Merely Expiring Stage.

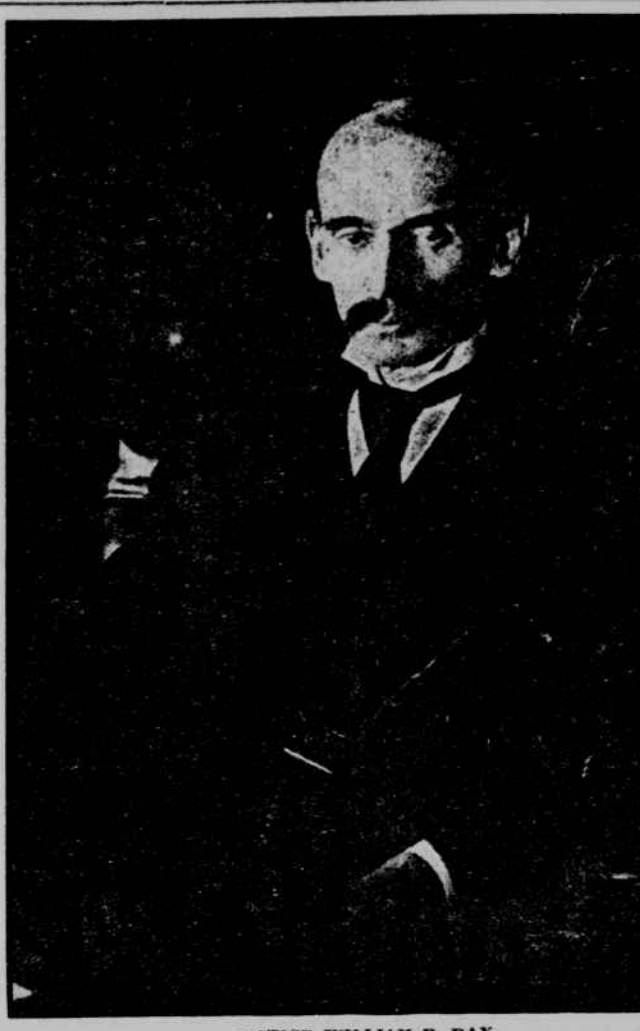
While the present session is merely the expiring stage of a Congress soon to go out of existence and to be superseded in political control and policy after March 4, yet to-day's sessions in the Senate and House brought together for the first time since the recent overturning of those leaders and elements of the various parties who have been most prominent in public affairs. The old faces and figures were again in evidence to-day, although some of them, like ex-Speaker Cannon, will soon pass off the congressional stage, while other, like Speaker Clark and Chairman Underwood, have had their tenures renewed and strengthened.

As a whole, however, the dominant notes as both branches of Congress assembled was that new conditions, new policies and new men have been ushered in as a result of the recent election, and that about the only function of the present short session, lasting until March 4, is to pass annual supply bills and wind up what remains of the old regime.

In the Senate, Vice-President Sherman has been removed by death from the presiding officer's chair, which will be filled temporarily by Senators Bacon, of Georgia, and Gallinger, of New Hampshire, alternating. The Republican control of the Senate, with about fifty votes as against the present Democratic strength of about forty-two, will continue until March 4, although this control is conditioned largely by the presence of two elements, regular and progressive, in the Republican total of fifty Senators Heyburn, of Idaho,

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## Delivers Opinion Dissolving Merger



JUSTICE WILLIAM R. DAY.

## ANOTHER BILLION DOLLAR SESSION

Department Heads Submit Estimates of Money Needed for Year Ending June 30, 1914.

## THREE BATTLESHIPS ASKED

Matter of Conjecture How Various Items Will Fare at Hands of House.

Washington, December 2.—It will cost \$22,415,455.16 to conduct the affairs of the government for the fiscal year ending June 30, 1914, according to the estimates of the various department heads, submitted to-day to the Speaker of the House by the Secretary of the Treasury.

This amount, which does not include any provision for the postal service, which is expected to be self-sustaining, is an increase of \$2,078,248 over the appropriations made for the present year by the last session of Congress.

Of this increase, \$2,312,230 appears in estimates of the Secretary of the Navy, and \$29,557,287 represent the increase asked by the Navy Department in the appropriations for building and equipping new vessels.

The estimates would provide for three new battleships to be laid down during the year. This would make up for the lapse of one ship from the two battleships a year program of the department, caused by the action of the Democratic House in providing for but a single ship at the last session of Congress.

Another \$20,000,000 or more of the total increase is shown in the estimates for the payment of pensions. The amount asked for is \$185,229,099. Last year \$155,146,470 was expended for pensions. An increase of about the same amount appears in the estimates for public works for the year.

The construction of public buildings planned for the year also shows an increase of \$1,012,539 over the appropriations for the present year, \$5,722,290. The amount asked for this purpose, \$6,734,829, is to be done during the year on the Panama Canal will cost \$20,174,432, which is \$1,110,165 less than the appropriations for the current year. Of this sum \$5,769,822 is asked to build fortifications and military barracks in the Canal Zone. Of this \$235,000 is for fortifications at Panama.

The estimates forecast another billion-dollar session of Congress, for, in addition to the \$22,415,455 which is the total estimated for the Postmaster-General estimates that \$281,791,568 will be necessary to conduct his department for the year. This amount will be supplied out of the postal revenues, and will bring the total estimated appropriations for the year up to \$1,165,296,561.

Just how these estimates will fare at the hands of the Democratic majority in the House is the subject of considerable conjecture.

## FATE RESTS WITH JURY

No Report in Speed Case Received Until This Morning.

Fort Worth, Texas, December 2.—The fate of John Neal Speed, banker, accused of having murdered A. G. Boyce, Sr., wealthy ranchman, rests with the jury to-night. No report will be received from the jury room until court convenes to-morrow.

Presiding Judge Swaine concluded his charge at 5:45 this afternoon, and at 9 o'clock the jury had not reached a verdict. Judge Swaine then instructed the jury to retire, and announced that he would not reopen court until the usual hour to-morrow.

The greatest part of to-day was taken up with the closing argument of the prosecution.

## PACIFIC MERGER IN VIOLATION OF ANTITRUST LAW

Great Railway Combination Ordered Dissolved by Supreme Court.

## HASTHREE MONTHS TO PRESENT PLANS

At End of That Time Court May Proceed, by Receivership and Sale, if Necessary, to Dispose of Stock Unlawfully Held, and Disintegrate Merger—Decision Is Announced by Justice Day, Roads Brought Together by Harriman, and Government Fight for Dissolution Began in 1908.

Washington, December 2.—The great Harriman merger, created when the Union Pacific Railroad Company bought 45 per cent of the stock of the Southern Pacific Railway system, was split asunder to-day by the Supreme Court of the United States in a violation of the Sherman antitrust law. Then, with the end of the merger before it, the court sent forth its portentous declaration that "while the law may not be able to enforce competition, it can reach combinations which render competition impracticable."

Justice Day announced the unanimous opinion of the court. Judge Vandevanter took no part in the consideration of the case to-day. His personal finding as a judge of the Utah Circuit Court, that the two roads were not competitors and therefore no violation of the law had resulted from the purchase, was reversed and annulled. Instead of following the reasoning of Justice Vandevanter and Judges Sanborn and Adams, the court in substance approved the minority holding of Judge Hook that the roads were competitors, and that it was just as much a violation of the law for one road to buy the controlling stock of a competitor as it was for a holding company, as in the Northern Securities case, to buy the controlling stock of two competing companies.

The Circuit Court for the District of Utah directed to supervise the separation of the two roads, after hearing, and in emergency to appoint a receiver to sell the stock. The Union Pacific, if the Circuit Court sees proper, may retain control of the old Central Pacific line from Ogden to San Francisco. The decision of the lower court that there was no violation of the law in the attempt to acquire the Northern Pacific stock and the stock of the Atchafalpa, Topeka and Santa Fe Railway Company, afterwards abandoned, and a certain interest in the San Pedro, Los Angeles and Salt Lake Railroad Company, was allowed to stand.

It is the general belief here that the application of the decision to the railroad situation of the country will be widespread, placing a powerful precedent in the hands of the Attorney-General to prevent consolidation of competing roads.

## Wickersham Elected.

Department of Justice official, however, were not prepared to admit to discuss the full effect of the decision. Attorney-General Wickersham, elated over the outcome, issued a statement in which he simply declared the case extended principle of the Northern Securities case, and reaffirmed those of the Standard Oil and St. Louis Terminal association cases.

"We take it, therefore," he said in this connection, "that it may be regarded as settled, that a combination which places railroads engaged in interstate commerce in such relation as to create a single dominating control in one corporation, whereby the natural and existing competition in interstate commerce is unduly restricted or suppressed, is within the condemnation of the act. While the law may not be able to enforce competition it can reach combinations which rendered competition impracticable."

"It is the scope of such combinations and their power to suppress and stifle competition or create monopoly which determines the applicability of the act," Justice Day declared.

Justice Day replied to the argument that a majority of the stock had not been purchased, and therefore no control had been acquired. He quoted Mr. Harriman saying that a company owned ownership of 16 per cent of a big corporation was sufficient to control it. Announcing the opinion, Justice Day said:

"This court reaches the decision that the Union Pacific and Southern Pacific systems prior to the stock purchase, were competitors engaged in interstate commerce, and that the acquisition of the stock in question, the dominating power of the Union Pacific has suppressed competition between the systems, and perfected a combination in restraint of interstate commerce within the prohibitions of the act."

## Forbids Similar Acts.

In order to enforce the statute, the court is required to forbid the doing in the future of acts like those which are found to have been done in violation thereof, and to enter a decree which will effectually dissolve the combination of the stock to exist in violation of the statute.

"The decree should provide an injunction against the right to vote this

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